

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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YOUNG HEATING AND COOLING, INC.,

Plaintiff,

v.

Case No. 06-CV-10374-DT

J.O.A. CONSTRUCTION CO., INC., et al.,

Defendants.

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**ORDER RESETTING INITIAL SCHEDULING CONFERENCE, ASSESSING  
SANCTIONS AND DIRECTING COUNSEL TO SUBMIT BILL OF COSTS**

On June 27, 2006 counsel for Third Party Defendant J.O.A. Construction failed to appear for a scheduling conference as duly noticed in advance by the court, informing the court's case manager that he was instead attending an arbitration proceeding in a different case. Counsel's attendance on behalf of Third Party Plaintiff was made fruitless by the failure of Defendant's counsel to appear. Accordingly,

IT IS ORDERED that counsel for Third Party Plaintiff present a proposed bill of costs to Third Party Defendant, and in the absence of stipulation to file a motion seeking court approval of such costs by **July 12, 2006**.

IT IS FURTHER ORDERED that trial counsel are directed to appear on **July 6, 2006 at 11:00 a.m.** for a scheduling/status conference. A failure by Third Party Defendant to appear a second time may result in other sanctions including default.

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S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: June 28, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 28, 2006, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522